

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ISSIAH SAUNDERS,

Plaintiff,

DECISION AND ORDER

03-CV-6286L

v.

SUPERINTENDENT VICTOR HERBERT,

Defendant.

By letter dated July 11, 2005 and filed July 19, 2005, plaintiff requests leave to withdraw and dismiss his complaint. The motion is granted. Pursuant to FED. R. CIV. P. 41(a)(2), plaintiff's complaint is hereby dismissed with prejudice.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 28, 2005.